

SENATE BILL 1503

By Yager

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, relative to the sale or
dispensing of certain methamphetamine
precursors and to enact the "I Hate Meth Act."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "I Hate Meth Act."

SECTION 2. Tennessee Code Annotated, Section 39-17-431, is amended by deleting subsection (a) and substituting instead the following:

(a) Except as provided in this section, any product that contains any immediate methamphetamine precursor may be dispensed only by a licensed pharmacy and only after the pharmacist has consulted with and approved the sale of the product to person purchasing it.

SECTION 3. Tennessee Code Annotated, Section 39-17-431, is amended by deleting the first sentence of subsection (d) and substituting instead the following:

The pharmacist, or any pharmacy technician or pharmacy intern under the supervision of the pharmacist, shall require any person purchasing a nonexempt product that contains any immediate methamphetamine precursor to present valid government issued identification at the point of sale. Additionally, the pharmacist shall personally consult with and observe the person attempting to purchase the nonexempt product, advise the person that the product may be used in the illegal manufacture of methamphetamine, advise the person of the possible side effects and dangers of the product, and observe the demeanor of the person purchasing the product. After consulting with and observing the person, if the pharmacist has reason to believe that the person will use the nonexempt product for an unlawful purpose, the pharmacist shall

not permit the sale to be made. If the pharmacist is presented with no such reason, the pharmacist may permit the sale to occur. If the sale does occur, the pharmacist shall note on the electronic record of the sale that the pharmacist consulted with and observed the purchaser as required and had no reason to believe that the nonexempt product would be used for an unlawful purpose. No pharmacist shall incur any civil liability if the pharmacist approves a sale and the person later uses the nonexempt product unlawfully if the pharmacist followed the requirements of this subsection (d) and had no reason to believe that the purchaser would unlawfully use the product.

SECTION 4. This act shall take effect July 1, 2011, the public welfare requiring it.